



Cooperative Damage Assessment

Observations of a couple of field hands ...



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Natural Resource Damages Concept

- **Public entitled to compensation for losses**
- **Pursuing restoration or in-kind compensation**
- **Focus on restoring resources and their services**

Opportunity ...

The response agencies, the trustee agencies and the Companies can use a single, integrated process to address both remedial and NRDA issues...

Trustee Participation in the Remedial Process

- Technically speaking, injury assessment and risk assessment follow the same path.
 - Different thresholds
- Minimize redundancy of data collection
- Maximize quality of data
 - Piggy back analyses, improve ERA

Project Management

- Technical competence is a must for both sides of the table.
- Less uncertainty *usually* reveals less injury.
- Weigh the data needs against potential damages...early and often.

Building Trust

- Concede the obvious...give a little
- Let science drive the process
- Learn to live with uncertainty
- Keep the end goal in focus. Find and fix the problem
- *Work* together to determine injury
 - Let technical people reach conclusions
 - Reduce formality

Damaging Trust

- Structure process for failure (litigation)
- Technical incompetence
- Data manipulation
- Dissension in the ranks (work it out internally)
- Ignore concerns of other parties
- Not punishment
- Not exploitation

The Trustees' Restoration Goals

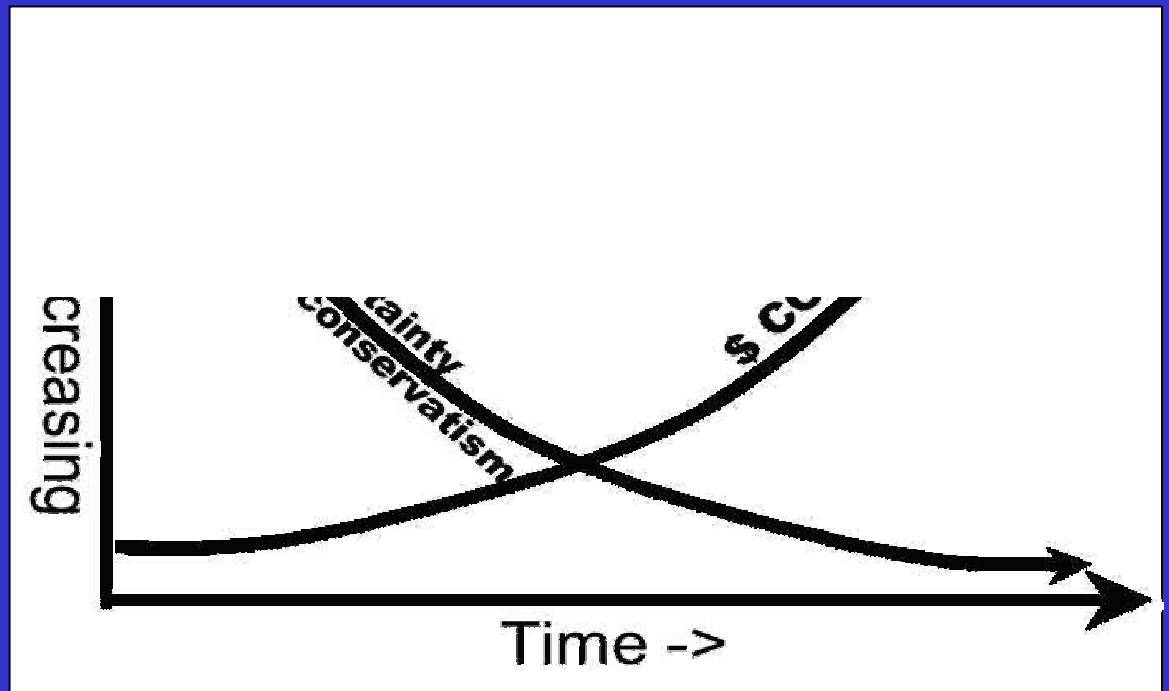
- **Primary restoration ~ remediation - To return natural resources & resource services to baseline**
- **Compensatory restoration - compensate for interim losses of resources & resource service.**

The Reasonably Conservative Approach to Natural Resource Damage Assessment

...it is sometimes better to make reasonable, conservative estimates of natural resource injuries/losses using information obtained for other purposes than to spend additional time and money on injury assessment studies.

The Reasonably Conservative Approach to Natural Resource Damage Assessment

... at some point the additional costs to refine the conservative estimate do not justify further investment considered against the costs to provide additional habitat compensation.



Habitat Restoration Project Examples





